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CLAIM OF: DELECIA SMITH AND BERTHA S. RAINEY

4475 Old Fairburn Road College Park, Georgia 30349

For damages alleged to have been sustained as a result of a vehicular accident on September 20, 2001 at Juniper and 4th Streets.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **DELECIA** SMITH AND BERTHA S. RAINEY the sum of \$951.85 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on September 20, 2001 at Juniper and 4th Streets as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD **CITY ATTORNEY**

ROSALIND RUBENS NEWELL

DEPUTY CITY ATTORNEY

FAVORABLE REPORT

DEC

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PUBLIC SAFTEY & LEGAL ADMINISTRATION COMMITTEE DATE CHAIR

CEPUTY MUNICIPAL CLERK



MUNICIPAL CLERK ATLANTA, GEORGIA

01-R-1963

A RESOLUTION

BY PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to Delecia Smith & Bertha S. Rainey in the sum of \$951.85 in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a vehicle accident on September 20, 2001 at Juniper and 4th Streets as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Deputy Clerk

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

DEC 03, 2001

DEC 12, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. <u>01L0685</u> Date: <u>November 13, 2001</u>
Claimant /Victim DELECIA SMITH AND BERTHA S. RAINEY
BY: (Atty)(Ins. Co.) Address: 4475 Old Fairburn Road, College Park, Georgia 30349
Subrogation: Claim for Property damage \$ 951.85 Bodily Injury \$
Date of Notice: 10/19/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 09/20/01 Place: Juniper and 4 th Streets
Department Police Division:
Department Police Division: Employee involved D. A. West Disciplinary Action: Pending
NATURE OF CLAIM: The driver of the City vehicle failed to yield right-of-way upon entering the intersection and collided with the claimants' vehicle causing damages in the above amount.
INVESTIGATION:
Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver X Claimant Driver
Citation disposition: City Driver Claimant Driver
BASIS OF RECOMMENDATION:
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Function: Governmental X Ministerial Ministerial Damages reasonable X Notice More than Six Months Other Damages reasonable X Notice
City not involved Offer rejected Compromise settlement
Panair/replacement by Ins. Co. Renair/replacement by City Forces
City not involved Offer rejected Compromise settlement Repair/replacement by Ins. Co. Repair/replacement by City Forces Claimant Negligent City Negligent X Joint Claim Abandoned
Claimant regrigent City regrigent claim realisated
Respectfully submitted,
INVESTIGATOR - DIANNE C. MITCHELL
RECOMMENDATION:
Pay \$ 951.85 Adverse Account charged: 1A01 X 2J01 2H01 Claims Manager: Concur/date //-/3a/
Claims Manager
Committee Action:Council Action
FORM 23-61